



Rec'd PGT/PTO 06 MAR 2006 #11

Attorney Docket No.: MXI-160US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION, PETITION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HUMAN MONOCLONAL ANTIBODIES TO HER2/NEU

the specification of which was filed on July 25, 2000 as PCT International Application Number PCT/US00/20272, assigned US Application Ser. No. 10/031722 upon US national phase entry, and amended on August 17, 2001.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Lahive & Cockfield, LLP**, 28 State Street, Boston, Massachusetts 02109, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 00959

all of **Lahive & Cockfield, LLP**, 28 State Street, Boston, Massachusetts 02109, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from MEDAREX, INC. as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Please mail all correspondence to Giulio A. DeConti, Jr. at **Customer Number 00959**, whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Please direct telephone calls to: Giulio A. DeConti, Jr. at (617) 227-7400.

Please direct facsimiles to: (617) 742-4214

Full name of sole or first inventor Tibor KELER	
Sole or first inventor's signature	Date
Residence Ottsville, Pennsylvania	
Citizenship US	
Mailing Address 30 Park Road Ottsville, Pennsylvania 18942	

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Full name of second inventor, if any Yashwant M. DEO	
Second inventor's signature	Date Feb. 16, 2006
Residence East Brunswick, New Jersey NJ	
Citizenship US	
Mailing Address 35 Cortland Drive East Brunswick, New Jersey 08816	

Full name of third inventor, if any Laura A. VITALE	
Third inventor's signature	Date
Residence Doylestown, Pennsylvania	
Citizenship	
Mailing Address 4194 Milords Lane Doylestown, Pennsylvania 18901	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	



Rec'd PCT/PTO 06 MAR 2006
Atty Docket No.: MX1160US

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DECLARATION, PETITION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

(Check one):

- ☐ Declaration Submitted with Initial Filing
☒ Declaration Submitted after Initial Filing

RECEIVED
MAR 09 2006
OFFICE OF PETITIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HUMAN MONOCLONAL ANTIBODIES TO HER2/NEU

the specification of which (check one):

- ☐ is attached hereto.
OR
☒ was filed on 25 July 2000 as PCT International Application Number PCT/US00/20272 and filed as U.S. Serial No. 10/031,722.
☒ and was amended by PCT Article 19 Amendment on August 17, 2001 (if applicable),
☐ and was amended by PCT Article 34 Amendment on _____ (if applicable).

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

PRIORITY CLAIM

(Check one):

- ☐ no such applications have been filed.
- ☒ such applications have been filed as follows

1) FOREIGN PRIORITY CLAIM: I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (dd,mm,yyyy)	Priority Not Claimed	Certified Copy Attached	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto.

2) PROVISIONAL PRIORITY CLAIM: I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Provisional Application Number(s)	Filing Date (dd/mm/yyyy)
60/146,313	29 July 1999 (29.07.99)
60/188,539	10 March 2000 (10.03.00)

☐ Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.

3) U.S./PCT PRIORITY CLAIM: I hereby claim the benefit under Title 35, United States Code, §120 of any United States application or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (dd/mm/yyyy)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James E. Cockfield	Reg. No. <u>19,162</u>	Maria C. Laccotripe Zacharakis	Limited Recognition
Thomas V. Smurzynski	Reg. No. <u>24,798</u>		Under 37 C.F.R. § 10.9(b)
Ralph A. Loren	Reg. No. <u>29,325</u>	Debra J. Milasincic	Reg. No. <u>46,931</u>
Giulio A. DeConti, Jr.	Reg. No. <u>31,503</u>	David R. Burns	Reg. No. <u>46,590</u>
Elizabeth A. Hanley	Reg. No. <u>33,505</u>	Sean D. Detweiler	Reg. No. <u>42,482</u>
Amy E. Mandragouras	Reg. No. <u>36,207</u>	Cynthia L. Kanik	Reg. No. <u>37,320</u>
Anthony A. Laurentano	Reg. No. <u>38,220</u>	Theodore R. West	Reg. No. <u>47,202</u>
Kevin J. Canning	Reg. No. <u>35,470</u>	Hathaway P. Russell	Reg. No. <u>46,488</u>
Jane E. Remillard	Reg. No. <u>38,872</u>	John S. Curran	Reg. No. <u>50,445</u>
DeAnn F. Smith	Reg. No. <u>36,683</u>	Lisa M. DiRocco	Reg. No. <u>51,619</u>
Jeanne M. DiGiorgio	Reg. No. <u>41,740</u>	Danielle L. Herritt	Reg. No. <u>43,670</u>
Megan E. Williams	Reg. No. <u>43,270</u>	Merideth C. Arnold	Reg. No. <u>52,568</u>
Jeremiah Lynch	Reg. No. <u>17,425</u>	Peter W. Dini	Reg. No. <u>52,821</u>
David J. Ridders	Reg. No. <u>43,882</u>	Cynthia M. Soroos	Reg. No. <u>53,623</u>
		Jonathan M. Sparks	Reg. No. <u>53,624</u>
		Andrina M. Zink	Reg. No. <u>54,539</u>
		John D. Lanza	Reg. No. <u>40,060</u>

(29)

of LAHIVE & COCKFIELD, LLP, 28 State Street, 24th Floor, Boston, Massachusetts 02109, United States of America.

Send Correspondence to:

Jane E. Remillard, Lahive & Cockfield, LLP, 28 State Street, Boston, Massachusetts 02109, United States of America

Direct Telephone Calls to: (name and telephone number)

Jane E. Remillard, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00

Full name of sole or first inventor <u>Tibor Keler</u>	
Inventor's signature <u>Tibor Keler</u>	Date <u>10/24/03</u>
Residence <u>30 Park Road, Ottsville, PA 18942 PA</u>	
Citizenship <u>United States of America</u>	
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Full name of second inventor Yashwant DEO	
Inventor's signature	Date
Residence 35 Cortland Drive, East Brunswick, NJ 08816	
Citizenship United States of America	
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Full name of second inventor Laura VITALE	
Inventor's signature <i>Laura Vitale</i>	Date 10/24/03
Residence 4194 Milords Lane, Doylestown, PA 18901 <i>PA</i>	
Citizenship United States of America	
Post Office Address (if different) Same As Above	

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